

Fill in this information to identify your case:

United States Bankruptcy Court for the:

NORTHERN DISTRICT OF GEORGIA

Case number (if known)

Chapter 7

Check if this an amended filing

## Official Form 201

# Voluntary Petition for Non-Individuals Filing for Bankruptcy

4/19

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name	<b>DB Nutrition, LLC</b>		
2. All other names debtor used in the last 8 years	<b>DBA Clean Eatz Alpharetta</b>		
Include any assumed names, trade names and doing business as names			
3. Debtor's federal Employer Identification Number (EIN)	<b>81-5301485</b>		
4. Debtor's address	Principal place of business  <b>5815 Windward Pkwy, Ste. 202 Alpharetta, GA 30005</b>	Mailing address, if different from principal place of business  <b>P.O. Box, Number, Street, City, State &amp; ZIP Code</b>	
	Number, Street, City, State & ZIP Code  <b>Fulton</b>	Number, Street, City, State & ZIP Code  <b>County</b>	
		Location of principal assets, if different from principal place of business  <b>Number, Street, City, State &amp; ZIP Code</b>	
5. Debtor's website (URL)			
6. Type of debtor	<input checked="" type="checkbox"/> Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP)) <input type="checkbox"/> Partnership (excluding LLP) <input type="checkbox"/> Other. Specify: _____		

Debtor

DB Nutrition, LLC

Name

## 7. Describe debtor's business

A. Check one:

Health Care Business (as defined in 11 U.S.C. § 101(27A))  
 Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))  
 Railroad (as defined in 11 U.S.C. § 101(44))  
 Stockbroker (as defined in 11 U.S.C. § 101(53A))  
 Commodity Broker (as defined in 11 U.S.C. § 101(6))  
 Clearing Bank (as defined in 11 U.S.C. § 781(3))  
 None of the above

B. Check all that apply

Tax-exempt entity (as described in 26 U.S.C. §501)  
 Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)  
 Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.

See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

## 8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

Chapter 7  
 Chapter 9  
 Chapter 11. Check all that apply:

Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,725,625 (amount subject to adjustment on 4/01/22 and every 3 years after that).  
 The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).  
 A plan is being filed with this petition.  
 Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).  
 The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.  
 The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

Chapter 12

## 9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

 No. Yes.

If more than 2 cases, attach a separate list.

District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_

District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_

## 10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

 No Yes.

List all cases. If more than 1, attach a separate list

Debtor \_\_\_\_\_ Relationship \_\_\_\_\_

District \_\_\_\_\_ When \_\_\_\_\_ Case number, if known \_\_\_\_\_

Debtor

DB Nutrition, LLC

Name

11. Why is the case filed in this district? *Check all that apply:*

Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.

A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

## 12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

No

Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

## Why does the property need immediate attention? (Check all that apply.)

It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.  
What is the hazard? \_\_\_\_\_

It needs to be physically secured or protected from the weather.

It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

Other \_\_\_\_\_

## Where is the property?

Number, Street, City, State &amp; ZIP Code

## Is the property insured?

No

Yes. Insurance agency \_\_\_\_\_

Contact name \_\_\_\_\_

Phone \_\_\_\_\_

## Statistical and administrative information

13. Debtor's estimation of available funds *Check one:*

Funds will be available for distribution to unsecured creditors.

After any administrative expenses are paid, no funds will be available to unsecured creditors.

## 14. Estimated number of creditors

<input checked="" type="checkbox"/> 1-49	<input type="checkbox"/> 1,000-5,000	<input type="checkbox"/> 25,001-50,000
<input type="checkbox"/> 50-99	<input type="checkbox"/> 5001-10,000	<input type="checkbox"/> 50,001-100,000
<input type="checkbox"/> 100-199	<input type="checkbox"/> 10,001-25,000	<input type="checkbox"/> More than 100,000
<input type="checkbox"/> 200-999		

## 15. Estimated Assets

<input checked="" type="checkbox"/> \$0 - \$50,000	<input type="checkbox"/> \$1,000,001 - \$10 million	<input type="checkbox"/> \$500,000,001 - \$1 billion
<input type="checkbox"/> \$50,001 - \$100,000	<input type="checkbox"/> \$10,000,001 - \$50 million	<input type="checkbox"/> \$1,000,000,001 - \$10 billion
<input type="checkbox"/> \$100,001 - \$500,000	<input type="checkbox"/> \$50,000,001 - \$100 million	<input type="checkbox"/> \$10,000,000,001 - \$50 billion
<input type="checkbox"/> \$500,001 - \$1 million	<input type="checkbox"/> \$100,000,001 - \$500 million	<input type="checkbox"/> More than \$50 billion

## 16. Estimated liabilities

<input type="checkbox"/> \$0 - \$50,000	<input type="checkbox"/> \$1,000,001 - \$10 million	<input type="checkbox"/> \$500,000,001 - \$1 billion
<input type="checkbox"/> \$50,001 - \$100,000	<input type="checkbox"/> \$10,000,001 - \$50 million	<input type="checkbox"/> \$1,000,000,001 - \$10 billion
<input checked="" type="checkbox"/> \$100,001 - \$500,000	<input type="checkbox"/> \$50,000,001 - \$100 million	<input type="checkbox"/> \$10,000,000,001 - \$50 billion
<input type="checkbox"/> \$500,001 - \$1 million	<input type="checkbox"/> \$100,000,001 - \$500 million	<input type="checkbox"/> More than \$50 billion

Debtor

**DB Nutrition, LLC**

Name

**Request for Relief, Declaration, and Signatures**

**WARNING** -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature  
of authorized  
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 3, 2019

MM / DD / YYYY

**X /s/ Gary Davis**

Signature of authorized representative of debtor

**Gary Davis**

Printed name

Title Owner

**18. Signature of attorney**

**X /s/ William A. Rountree**

Signature of attorney for debtor

Date April 3, 2019

MM / DD / YYYY

**William A. Rountree**

Printed name

**Rountree & Leitman, LLC**

Firm name

**2800 B North Druid Hills Rd**

**Suite 100**

**Atlanta, GA 30329**

Number, Street, City, State & ZIP Code

Contact phone 404-584-1244

Email address

**616503 GA**

Bar number and State

**CERTIFIED COPY OF RESOLUTION  
OF MEMBERS OF  
DB NUTRITION, LLC**

This is to certify that at a meeting of the Members of DB Nutrition, LLC, a Georgia Limited Liability Company (the "Company"), held on the 27th day of March 2019 the following resolution was adopted:

**WHEREAS**, the Company is unable to pay its debts as they generally mature. **NOW, THEREFORE, IT IS HEREBY**

**RESOLVED**, that the Company authorizes the Managing Member of the Company to prepare, file and execute the Petition for Relief provided in Title 11, United States Code, Chapter 7 for DB Nutrition, LLC, a Georgia Limited Liability Company, and all of the necessary papers in connection therewith, in the United States Bankruptcy Court, Northern District of Georgia, Atlanta Division.

**RESOLVED FURTHER**, that the Managing Member of the Company be and he hereby is authorized to do any other acts, execute all necessary documents and take any other steps in the name and in behalf of the said Company necessary or appropriate to obtaining such relief, including the presentation of a Plan of Reorganization.

**RESOLVED FURTHER**, that the Managing Member of the Company be and he hereby is authorized to retain as counsel for the Company in said proceeding Rountree Leitman & Klein, LLC.

Said resolution is still of full force and effect.

Dated, this March 27, 2019.

DB Nutrition, LLC

By:   
\_\_\_\_\_  
Gary Davis  
Managing Member

**United States Bankruptcy Court  
Northern District of Georgia**

In re DB Nutrition, LLC

Debtor(s)

Case No.

Chapter

7

**VERIFICATION OF CREDITOR MATRIX**

I, the Owner of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge.

Date: April 3, 2019

/s/ Gary Davis

**Gary Davis/Owner**  
Signer/Title

AmeriPride Services Inc.  
P.O. Box 308  
Bemidji, MN 56619

Arrow Exterminators  
2695 Leeshire Rd., #200  
Tucker, GA 30084

AT&T  
PO Box 105262  
Atlanta, GA 30348-5262

Clean Eatz  
203 Racine Dr.  
Wilmington, NC 28403-8829

Clean Eatz Production Company  
12603 State Route 143  
Ste G  
Highland, IL 62249

Comcast  
P.O. Box 71211  
Charlotte, NC 28272-1211

Dade Paper  
600 Hartman Industrial Way,  
Austell, GA 30168

FiveStars  
340 Bryant St. #300  
San Francisco, CA 94107

Gas South  
P.O. Box 530552  
Atlanta, GA 30353-0552

Georgia Department of Labor  
148 Andrew Young Int'l Blvd. NE  
Atlanta, GA 30303

Georgia Department of Revenue  
1800 Centuray Center Blvd  
Suite 9100  
Atlanta, GA 30345

Georgia Power Company  
BIN #10102  
241 Ralph McGill Blvd.  
Atlanta, GA 30308-3374

Global Merchant Cash  
30 Broad St, 14th Floor  
New York, NY 10004

Internal Revenue Service  
PO Box 7346  
Philadelphia, PA 19101

PNC Bank  
12885 Highway 9  
Alpharetta, GA 30004

PNC Merchant Services  
One PNC Plaza  
Pittsburgh, PA 15265

Proactive Payroll  
2805 Peachtree Industrial Blvd  
Suite 214  
Duluth, GA 30097

The Dillion Agency, LLC  
PO Box 2070  
Powder Springs, GA 30127

The Hartford  
PO Box 660916  
Dallas, TX 75266

US Foods  
P.O. Box 281945  
Atlanta, GA 30384

Windward Northpoint, LLC.  
131 Roswell St, Suite B201  
Alpharetta, GA 30009

Winward Northpoint, LLC.  
131 Roswell St, Suite B201  
Alpharetta, GA 30009

**United States Bankruptcy Court**  
**Northern District of Georgia**

In re **DB Nutrition, LLC**

Debtor(s)

Case No.  
Chapter

**7**

**CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)**

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for DB Nutrition, LLC in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

■ None [*Check if applicable*]

**April 3, 2019**

Date

**/s/ William A. Rountree**

**William A. Rountree**

Signature of Attorney or Litigant  
Counsel for **DB Nutrition, LLC**

**Rountree & Leitman, LLC**

**2800 B North Druid Hills Rd**

**Suite 100**

**Atlanta, GA 30329**

**404-584-1244**